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FACSIMILE MESSAGE TRANSMITTAL

TO:	Examiner E. Lee Group Art Unit 2815	PHONE #:	(703) 308-1690
FROM:	Mark Zagorin	DATE:	October 3, 2002
SUBJECT:	Response to Final Office Action		
YOUR REF:	09/484,311	OUR REF:	1001-0087
FACSIMILE #:	(703) 872-9319	PAGES:	8 (including this transmittal)

MESSAGE

Please see attached

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): James John Casto et al.

Title: INTEGRATED CIRCUIT PACKAGE INCORPORATING
PROGRAMMABLE ELEMENTS

Application No.: 09/484,311

Filed:

January 18, 2000

Examiner: E. Lee

Group Art Unit:

2815

Atty. Docket No.: 1001-0087

October 3, 2002

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COMMISSIONER FOR PATENTS
Washington, DC 20231

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RESPONSE TO FINAL OFFICE ACTION

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This paper is responsive to a Final Office action dated July 3, 2002, having a shortened statutory period for response set to expire October 3, 2002.

AMENDMENTIn the Claims

Please cancel claim 13 and amend claim 12 to read as follows.

12. (Twice Amended) A package for mounting at least one integrated circuit die, the package comprising at least one one-time programmable element having a first and a second end separated by a programmable link, wherein the first end of the one-time programmable element is coupled to a power supply voltage node in the package and wherein the package further comprises another programmable element serially coupled between the second end of the programmable element and an external package connection.

PATENT

REQUEST TO WITHDRAW FINALITY OF THE OFFICE ACTION
DATED 07/03/02

Applicants hereby request that the finality of the Office Action dated 07/03/02 be withdrawn. MPEP §706.07(a), states that a final rejection will not be made if "it includes a rejection, on newly cited art, other than information submitted in an information disclosure statement . . . , of a claim not amended by applicant or patent owner in spite of the fact that other claims may have been amended to require newly cited art."

As the Office Action admits, there are new grounds of rejection. As one of many examples, new grounds of rejection utilizing newly cited art were utilized in rejecting claim 25 (Macpherson in view of Barth). See also claim 2 (originally presented as claim 14 and put in independent form); claim 13 (originally presented as claim 14 and put in independent form); claim 12 (put in independent form); and claim 17 (originally presented as claim 26 and put in independent form). Claim 25 was originally presented and put in independent form in the response to the first Office Action. As stated in MPEP § 706.07(a) "[a] second or any subsequent action on the merits in any application . . . should not be made final if it includes a rejection, on prior art not of record, of any claim amended to include limitations which should reasonably have been expected to be claimed." MacPherson was clearly prior art not of record, was utilized in rejecting claim 25 and claim 25 was an originally presented claim. Accordingly, applicants respectfully submit that the finality of the rejection was improper and respectfully request that the finality be withdrawn.